

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

DOCKET NO. 2007-419-C – ORDER NO. 2008-231

APRIL 3, 2008

IN RE: Petition of the Office of Regulatory Staff for)	ORDER REVOKING
Commission to Order a Rule to Show Cause)	CERTIFICATES
as to Why the Certificates of Public)	
Convenience and Necessity for Certain)	
Providers of Telecommunications Services)	
Should Not Be Revoked)	

This matter comes before the Public Service Commission of South Carolina (“the Commission”) by way of the Petition for a Rule to Show Cause as to why Certificates of Public Convenience and Necessity (“Certificates”) of certain telecommunications companies should not be revoked for failure to file universal service fund (“USF”) reports. ORS’s Petition was filed with the Commission on November 21, 2007. The Commission is responsible for the regulation of telephone utilities operating for compensation as set forth in S.C. Code Ann. §58-9-10 et seq. (Supp. 2007).

The telecommunications companies listed in Exhibit A to ORS’s Petition are subject to the jurisdiction of this Commission pursuant to S.C. Code Ann. §58-9-710 et seq. (1976 & Supp. 2007). Further, these telecommunications companies have submitted themselves to the jurisdiction of the Commission by virtue of holding a Certificate of Public Convenience and Necessity as indicated in Exhibit A.

Telecommunications companies holding a Certificate are required to file universal service fund reports. “Subject to the approval of the Commission, the Office of Regulatory Staff may require any telephone utility to file annual reports in such form and of such content as the Office of Regulatory Staff may require and special reports concerning any matter about which the Office of Regulatory Staff is authorized to inquire or to keep itself informed or which it is required to enforce.” S.C. Code Ann. § 58-9-370(A) (Supp. 2007). The Commission’s USF guidelines approved in Order No. 2001-996 require each carrier to file on an annual basis the information necessary to allow ORS to calculate the carrier’s contribution. The annual filing is referred to as the Universal Service Fund Contribution Worksheet (“USF Report”).

ORS developed a list of the telecommunications companies that failed to file the requisite USF reports for the year ending 2006. ORS attached the list as Exhibit A to ORS's Petition. On February 5, 2008, ORS pre-filed the direct testimony of Ms. Dawn M. Hipp advising the Commission of those companies that had failed to file the required report and included as Exhibit DMH-2 a list showing those carriers that had come into compliance since the filing of the Petition.

On December 5, 2007, the Commission set this matter for a hearing on March 18, 2007, at 2:30 p.m.

At the hearing held on March 18, 2008, ORS was represented by Nanette S. Edwards, Esquire. Dawn M. Hipp, Director of the Telecommunications, Transportation, Water and Wastewater Department, testified for ORS.

At the hearing, Ms. Hipp presented testimony that certain companies certificated by the Commission to provide telecommunications services have failed to file the required universal service fund reports. Further, Ms. Hipp testified that, since the filing of the Petition and the submission of pre-filed testimony in this matter, certain of the telecommunications companies named in the Petition have come into compliance with the Commission's rules and regulations. At the hearing, ORS submitted a revised Exhibit DMH-1 listing those companies which remained out of compliance.

The Commission finds that the petition should be dismissed as to those companies who have complied S.C. Code Ann. § 58-9-370(A) (Supp. 2007) and with the Commission's Rules and Regulations as of the date of the hearing in this matter. The Commission is also of the opinion, and so finds, that the Certificates of Public Convenience and Necessity held by the companies which are the subject of this Petition (attached as an Appendix to this Order, labeled "Appendix A" and made a part of the record in this matter as Hearing Exhibit 1) should be revoked and cancelled for their continued willful violation of the Commission's Rules and Regulations and laws concerning reporting requirements of telecommunications carriers.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED:

1. That the Certificates of Public Convenience and Necessity held by those companies listed in the Appendix attached hereto be, and hereby are, revoked and cancelled.
2. That all operating rights authorized under the Certificates held by the companies listed in the attached Appendix and cancelled by this Order are null and void.

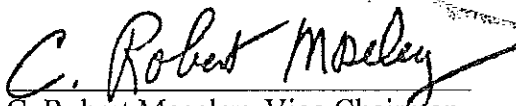
3. That this Petition be, and hereby is, dismissed with respect to all companies who have complied with S.C. Code Ann. § 58-9-370(A) (Supp. 2007) and with the Commission's Rules and Regulations.

4. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


G. O'Neal Hamilton, Chairman

ATTEST:


C. Robert Moseley, Vice Chairman

(SEAL)

Companies out of Compliance with USF Filing Requirements as of 03/18/08

#	ORGANIZATION NAME	REGISTERED AGENT	SECRETARY OF STATE STATUS	FOREIGN OR DOMESTIC	DOCKET #	ORDER #	DATE CERTIFICATE ISSUED	Comments
1	CAT Communications International, Inc. dba CCI	Address for Service 3435 Chip Drive Roanoke VA 24012	Dissolved	Foreign	1999-304-C	1999-748	10/25/1999	Company owes \$21,748 in unpaid USF Contributions.
2	Dial-Around Telecom, Inc.	TCS Corporate Services, Inc. 2 Office Park Ct., Suite 103 Columbia SC 29223	Good Standing	Foreign	2004-175-C	2004-502	10/15/2004	